

Town of Brentwood

NH Municipal Budget Committee

BRENTWOOD BUDGET COMMITTEE By Laws

Adopted: December 5, 2011

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**BRENTWOOD BUDGET COMMITTEE
By Laws**

Section I Purpose:

A. The purpose of the By-Laws of the Budget Committee is to define the terms of office, vacancies, functions and duties of the Committee consistent with the provisions of the Municipal Budget Act, RSA 32 and other applicable state statutes.

Section II Organization:

A. Membership:

The Committee shall comprise of such number of members and other representation as determined by Town Meeting adoption of RSA 32.

B. Officers:

Nominations of, and elections for, all Officers shall be by a majority vote of those present.

1. A Chairman and Secretary shall be elected at the first regularly scheduled meeting following Annual Town Meeting, but not later than September 30.

2. In the case of a vacancy in the position of Chairman after such election, the Secretary shall immediately succeed to the position of Chairman. A new Secretary shall be elected at the first regularly scheduled meeting after the Secretary position becomes vacant.

3. In the case of a vacancy in the position of Secretary, a new Secretary shall immediately be appointed by the Chairman until such time as a new Secretary is elected.

Section III Duties of Officers:

A. Chairman:

1. The Chairman shall preside at all meetings of the committee and perform all duties required by law. The Chairman shall execute all documents requiring signature on behalf of the committee, except as otherwise provided by law or by the committee.

2. The Chairman shall schedule all meetings, assemble the agenda and related materials for all regular and special meetings of the committee, schedule meeting rooms and notify all members of said schedule.

3. The Chairman with the approval of a majority of the Committee present, and/or at the request of the Selectmen or School Board, delegate certain Members of the Committee to investigate budgetary matters or to serve on citizens committees or sub-committees.

4. The Chairman, with the approval of a majority of the Committee present, shall draft and publish summaries of the Committee's business, progress through budgetary process and general public information, reflecting the Committee majority and voting results.

B. Secretary:

1. In the absence of the Chairman, the Secretary shall preside and assume all duties and responsibilities of the Chairman in addressing the business of any regularly scheduled or special meeting.

2. The Secretary is the custodian of the official minutes which will be submitted to the Town Clerk annually.
3. The Secretary shall assure the legal posting of all official meeting and hearing notices, required advertising in local publications, and delivery of the recommended budget to the respective governing body or bodies at least 20 days before the annual meeting, to be posted with the warrant.
4. The Secretary will assure the accurate completion of the State Data forms as required (MS7, MS 27) with assistance from the Board of Selectmen and School Boards.

Section IV Vacancies:

A. A Member-at-Large vacancy occurring during the year shall be filled by appointment by majority vote of the budget committee members as provided by RSA 32:15,VII. Persons so appointed shall serve until the next annual town meeting when a successor shall be elected to fill the remaining un-expired term or start a new term as the case may be.

Section V Responsibilities and Duties of the Committee:

A. The Budget Committee shall carefully review all requests for budgets and all revenue estimates, shall give consideration to all lawful requests for the ensuing fiscal year and shall review expenditure reports periodically pursuant to RSA 32 as may be amended from time to time.

B. All members shall make every effort to attend each scheduled meeting. Unexcused absences from three (3) consecutive regularly scheduled meetings shall be just cause for the committee, by majority vote, to request the member's return to elected duties. A member-at-large shall cease to hold office immediately upon missing four (4) consecutive scheduled or announced meetings of which that member received reasonable notice, without being excused by the Chair as provided in RSA 32:15,VI.

C. It is provided that the members of the committee have authority only when acting as a board legally in session. The committee shall not be bound in any way by any action or statement of any individual committee member except when such statement or action is furthering specific instructions of the committee.

Section VI Conduct of Meetings:

A. General Provisions:

1. ORGANIZATIONAL MEETING – An organizational meeting to elect officers shall be held following town meeting on a date voted by the committee at its last scheduled meeting prior to town meeting.
2. REGULAR MEETINGS – A schedule for regular meetings for the budget year shall be agreed upon by the second regular meeting following town meeting.
3. SPECIAL MEETINGS – May be called in two ways: By the Chair with 48 hours notice; upon written request of three members of the committee.
4. CLOSED MEETINGS – All meetings are open to the public except that on a motion adopted by vote of a majority present, those matters specified in the "Open Meeting Law" as provided in RSA 91-A: 3 which may be discussed in executive sessions. All committee decisions on such matters shall be by a recorded vote passed in an open meeting.
5. PUBLIC HEARING – On the budgets recommended by the committee shall be

scheduled by majority vote of the committee, and that legal notice required by RSA 32 and any other applicable state statute be given to the public. A single hearing date for both the town and the school budgets may be scheduled. Adjustments can be made to reduce dollar amounts of budgets at a meeting or meetings following the Public Hearing, and will require that the Budget Committee reconvene at the call of the Chair to vote adjusted items prior to posting the Budget Committee's recommended budget. Adjustments to increase dollar amounts will require a second properly noticed Public Hearing.

6. DELIBERATIVE MEETINGS – During the Annual and Special Town and School District Meetings, the Budget Committee or selected members thereof, may be seated at the front of the hall, with a microphone, by coordination with the moderator. The committee Chair shall present each budget request and committee recommendation and explain the basis for the committee's recommendation.

7. SCHEDULE OF MEETINGS - A schedule of regular meetings shall be published annually by the Chairman.

B. REVIEW OF AUDIT REPORTS

The Budget Committee shall review the reports for each department submitted by the auditor prior to town meeting. The Chair of record shall receive copies from the Selectmen's office as soon as they are made available to the Selectmen.

C. QUORUM

A quorum shall consist of a majority of eight members of the Budget Committee including the appointed members from the Board of Selectmen and the School Board as provided by RSA 21:15.

D. ELECTRONIC ATTENDANCE (amended 1/9/2012)

According to RSA 91:2 III, a member of the Budget Committee can attend a meeting electronically via conference call per cell phone or other electronic telecommunication device subject to the following provisions:

1. The absence must be communicated in writing and excused by the Chair. Member's reason for absence must be genuine, due to work, illness, emergency, travel etc.
2. Member's electronic attendance must be arranged with the Chair's permission and approved by a vote of a quorum of the Budget Committee.
3. The electronic attendee cannot be counted to make a quorum.
4. The electronic attendee must attend the entire meeting to insure fair representation of the issues to be approved by majority vote.
5. Conference phone call setup (speakerphone) must be such that the electronic attendee hears all the discussion on an issue including the questions/comments from the general public, and vice versa.
6. All votes, when there are members attending electronically, must be by roll call.

E. ORDER OF BUSINESS or AGENDA is recommended as follows:

1. Call to Order
2. Receipt of Correspondence
3. Approval of Minutes
4. Old Business
5. Information and Proposals from school board and selectmen representatives
6. Review of Budgets and Expenditures
7. Information from department heads and citizens

8. Future Business

9. Adjournment – motion for adjournment will not be in order until the completion of the meeting business.

F. Role of the Chair:

1. To open the session at the time at which the committee is to meet by calling the members to order;
2. To announce the business before the board, in the order in which it is to be acted upon;
3. To recognize members entitled to the floor;
4. To state and put to a vote all questions which are regularly called, or necessarily arise in the course of the proceedings, and to announce the result of the vote;
5. To protect the committee from annoyance;
6. To assist in expediting all business in every way compatible with the rights of the members, as by allowing remarks when motions are pending or by calling a brief recess to permit restoration of order or clarification of an obscure point, as the Chair thinks it advisable, to restrain the members engaged in debate, within the rules of order;
7. To enforce on all occasions the observance of order and decorum among the members, deciding all questions of order, subject to an appeal to the committee by any two members, unless the Chair chooses to submit the question for the decision of the committee;
8. To authenticate by signature as necessary, all acts, orders, and proceedings of the committee and committee staff.
9. The Chair is not relieved of the responsibility to vote on every question before the committee or to initiate a motion or request. The Chair shall be the last member to cast a vote on every issue.

G. Role of the Secretary:

1. Where there is no recording clerk who is employed to record minutes as a non-member, the Budget Committee's Secretary shall be employed as a recording clerk for the Committee.
2. The recording clerk shall be paid an amount appropriate from the annual budget on a basis adopted by the committee. The Chair and Secretary shall review and approve the salary requests of the clerk and forward them to the Selectmen for payment.
3. The recording clerk shall prepare a draft of the official minutes of the committee. An official copy of the clerk's records is to be on file in the Selectmen's office and open to inspection by any person at reasonable times. In addition to keeping the minutes of the meetings, it is the duty of the recording clerk to keep a roll of members and to call the roll when required. The clerk shall record the essentials called the "minutes" of the proceedings as follows:

- a. The kind of meeting; regular, special or adjourned.
- b. The time of meeting and place
- c. The presence and absence of committee members
- d. Whether the minutes of the previous meeting were approved or amended
- e. All motions except those withdrawn, and points of order and appeals, whether such appeal was sustained or lost, and all other motions that were not lost or withdrawn.
- f. The hour of adjournment

The recording clerk shall record the essentials of the proceedings, the name of the member who introduced a motion or amendment and then name of the second and the number of votes on each side.

In addition to the strict record of what is done, the public minutes should contain the speakers on each side of every question with a brief abstract of all relevant points.

Reports of sub-committees should be printed as submitted.

The minutes should reflect any official action taken by the committee.

H. Rules of Order:

1. OBTAINING THE FLOOR

Before a member is recognized to speak, the member should address the Chair and await recognition from the Chair. When a member has the floor, the member may, with few exceptions, speak without interruption. A Member shall be allowed unlimited debate so long as the discussion is germane to the question before the committee.

2. MAKING A MOTION

All proposals seeking action on the part of the Budget Committee should be presented through means of a "motion". A member will propose a motion by stating; "I move that . . .". The member may state the reasons for the motion. Any motion affecting any salary shall include an effective date.

3. SECONDING A MOTION

Before the motion may be discussed, it must be seconded. Thereafter if no objection to consideration is sustained, the committee may discuss it and decide to approve or disapprove the motion.

4. AMENDING A MOTION

If a member wishes to change a motion before the committee for consideration, the member must submit the proposal to the committee by "making a motion to amend the motion" and then may present the proposal briefly and concisely. A motion to amend must also be seconded before it can be discussed.

5. AMENDING THE AMENDMENT

Each amendment to a motion shall be taken up and voted on one at a time. Only one amendment shall be allowed on the floor at a time

6. POINT OF INFORMATION

If issues become obscure or involved, a committee member may seek clarification by asking the Chair for a "point of information".

7. POINT OF ORDER

A possible violation of procedure can be checked by addressing the Chair to a "point of order". The Chair will be obliged to recognize the member and pass on the inquiry.

8. ORDERS OF THE DAY

When the meeting goes off on a tangent and does not follow the agenda or the order of business, a member may remind the Chair of this calling for the "Orders of the Day".

9. MOTION TO REFER

When a member thinks it is advisable to give further study to a proposal, the Member may move that it be referred to a sub-committee or an individual for review. Any member may initiate a request for information for clarification of a budget.

10. APPEAL FROM A DECISION OF THE CHAIR

Should a member disagree with a decision of the Chair, the member can "Appeal from the Chair" to the whole membership. If the appeal is seconded, the Chair must state the question at issue and ask the committee to vote on whether they wish to over-rule or sustain the chair.

11. RECORDING OF VOTES

a. Any official action shall be, unless otherwise ordered, by majority vote. The vote of each committee member present shall be recorded on each motion.

b. A matter can be reconsidered or rescinded at a subsequent meeting in the same budget year by an affirmative vote of a majority of the budget committee members present at that meeting, at which a quorum is present, as is provided by RSA 21:15 and discussed in an Opinion of the Attorney General dated March 9, 1990.

SECTION VII Procedure for Review of Budgets:

A. FORMAT AND SCHEDULE FOR INITIAL REQUESTS

Fixed expenses and capital expenditure outlay budget requests shall be required by November 1st on forms approved by the budget committee or on such other date as is scheduled by the committee.

B. CAPITAL EXPENDITURES

Shall meet the following criteria:

A warrant article capital expenditure shall be any item that has a useful life greater than three years, and meets or exceeds the value of the current state bid price of a police cruiser.

C. FORMAT AND SCHEDULE FOR FINAL REQUESTS

1. Town Budget departmental requests shall be required no later than (1) week prior to that department review date as scheduled by the Budget Committee agenda. The budget shall be broken down line-by-line on budget sheets showing the previous two years appropriations and actual expenditures to date for each item. All requests should be accompanied by a back-up sheet explaining the request.

2. School Budget presentations to the Budget Committee shall include prior year appropriations and expenditures and current year appropriations & expenditures. Default Budget to be presented separately. All Budget & Warrant Article requests should be accompanied by detailed back-up sheets and contracts.

3. All School and Town budgets and back-up information should be prepared in advance with one original for the Chair and copies for each Committee member.

4. School Board, Selectmen, Trustees or department heads are invited to contribute appropriate relevant information during consideration of their proposed budget by the Budget Committee.

5. Identification of proposed Warrant Articles for maintenance or capital improvements submitted may be followed up by scheduled site walks for Town or School Buildings, at the Committee's request.

D. COMMITTEE'S ACTION IN ABSENCE OF REQUEST

1. Should a department fail to submit information relevant to their budget request in the format requested by the Budget Committee within the deadline, or by the date requested by Budget Committee, the Budget Committee may use their discretion to formulate a budget recommendation for that department, including or excluding items after studying past expenditures and possible future needs.

2. Should a department fail to submit any budget proposal within the deadline, or by the date requested by Budget Committee, it shall be the duty of the Budget Committee to

formulate a reasonable budget recommendation for that department after carefully studying past expenditures, the default operations of the department and future needs.

E. NOTIFICATION

Posting of the approved minutes on the town website will constitute notification by Budget Committee of any action on budget requests.

SECTION VIII Adoption and Amendment:

- A. These by-laws shall be known as the Municipal Budget Committee By-Laws of the Town of Brentwood.
- B. These by-laws shall become effective after adoption by majority vote of the Budget Committee at a regular or special meeting.
- C. These by-laws may be amended from time to time by the Budget Committee at a regular or special meeting.
- D. An amendment to these by-laws may be moved at one Budget Committee meeting but shall not be voted upon until the next regularly scheduled meeting. A copy of any amendment shall then be certified and submitted to the Town Clerk for inclusion in the town records.

Town of Brentwood

NH Municipal Budget Committee

BRENTWOOD BUDGET COMMITTEE By Laws

Adopted: December 5, 2011

Elyse Gallo Seeley
Chairman

William Faria
Secretary

Malcolm Allison

Robert Mantegari

Krista Steger

John Lyon

Jeff Bryan
Selectman Representative

Dianne Vosgien
School Board Representative

Amended: 1/09/2012